

FILED 10 MAY 12 14:15 USC ORP

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

STEVEN FEHLMAN, PERSONAL  
REPRESENTATIVE for the ESTATE  
of CHASE M. FEHLMAN, and  
INDIVIDUALLY; TAYLOR F. FEHLMAN,  
by his GUARDIAN AD LITEM  
STEVEN FEHLMAN; and A. McCAFFREY  
as PERSONAL REPRESENTATIVE for  
the ESTATE OF BONNIE B. FEHLMAN,

10-CV-122-ST

ORDER

Plaintiffs,

v.

A. McCAFFREY, ADMINISTRATOR of  
the ESTATE OF BONNIE B. FEHLMAN;  
GERALD LEE MCGEE, Sr.;  
INTERSTATE WOOD PRODUCTS, INC.,  
a Foreign Corporation; and  
STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY, a Foreign  
Corporation,

Defendants.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and

Recommendation (#19) on April 14, 2010, in which she recommends this Court grant Plaintiffs' Motion (#9) to Remand and deny Plaintiffs' request for attorneys' fees and costs. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983) (rev'd on other grounds). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#19). Accordingly, the Court **GRANTS** Plaintiffs' Motion (#9) to Remand, **DENIES** Plaintiffs' request for attorneys' fees and costs, and **REMANDS** this matter to state court.

IT IS SO ORDERED.

DATED this 12<sup>th</sup> day of May, 2010.

  
ANNA J. BROWN  
United States District Judge